



Legislative Bulletin.....June 26, 2007

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H.R. 2643 – PART 2 – Amendments to the Interior, Environment, and Related Agencies Appropriations Bill, FY 2008

H.R. 2643, the Interior, Environment, and Related Agencies Appropriations Act, FY 2008 (sponsored by Rep. Norman Dicks, D-WA), is currently being considered on the House floor.

Note: Earlier today a Unanimous Consent agreement was reached, which made in order the 45 amendments summarized below. Under the UC, all amendments are debatable for 10 minutes (unless otherwise stipulated), may be offered by the Member or his designee, and the amendment shall be considered to fit the description stated in the UC “if it addresses in whole or in part the object described.” Thus, Members are provided latitude to amend their amendment prior to consideration, so long as it still addresses the primary subject described in the UC.

The summaries below are based on RSC staff’s review of *actual amendment text*. For a summary of the underlying bill, see a separate RSC document released earlier today.

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Amendments made in order under the Unanimous Consent Agreement

Jackson-Lee (D-TX) #18. Increases, then decreases, the National Park Service Save America’s Treasures account by \$1 million.

Pearce (R-NM). Regarding the Minerals Management Service. According to the sponsor, this amendment will not be offered.

Lamborn (R-CO). Prohibits funds in the Act from being provided to the National Endowment for the Arts.

Rahall (D-WV). Strikes Section 109 of the bill, shown below:

SEC. 109. The Secretary of the Interior may hereafter use or contract for the use of helicopters or motor vehicles on the Sheldon and Hart National Wildlife Refuges for the purpose of capturing and transporting horses and burros. The provisions of subsection (a) of the Act of

September 8, 1959 (18 U.S.C. 47(a)) shall not be applicable to such use. Such use shall be in accordance with humane procedures prescribed by the Secretary.

King (R-IA). Reduces funds in the Act for EPA’s Environmental Programs and Management account by \$51 million (currently funded at \$2.37 billion); reduces funds for the EPA’s Hazardous Substance Superfund by \$132 million (currently funded at \$1.27 billion); reduces funds for the EPA set aside to propose regulations regarding greenhouse gas emissions by \$1 million; increases funds for the National Forest Service Capital Improvement and Maintenance account by \$100 million (currently funded at \$480.197 million).

Nunes (R-CA) #28. Reduces funds for the Forest Service International Program by \$3.7 million (from \$8 million to \$4.3 million); increases funds for the National Forest System by \$2 million (currently at \$1.50 billion). Since the increase and decrease amounts vary, it is assumed this is due to different outlay rates. According to the sponsor’s office, “The President asked for \$2.5 million for the program and the Appropriations Committee increased it to \$8 million. The Nunes Amendment simply moves \$3.7 million of that money into the National Forest System fund for marijuana eradication. That leaves \$4.3 million which is still over the President’s budget.”

LoBiondo (R-NJ) #24. Reduces, then increases, the Toxic Substances and Environmental Public Health account at NIH by \$1 million.

Ellsworth (D-IN) #15. Reduces funds for the Smithsonian Institution’s salaries and expenses by \$2.63 million (from \$536.29 million to \$533.66 million).

Brown-Waite (R-FL) #8: Reduces funding for the National Endowment for the Arts by \$32 million (from \$160 million to \$128 million).

Musgrave (R-CO) #27. Reduces the overall appropriations in the Act by 0.5 percent, except those amounts that are “not required to be appropriated or otherwise made available by a provision of law.” *Debatable for 40 minutes.*

Davis (R-VA). Strikes section 501 of the bill, regarding Global Climate Change.

Barton (R-TX). Strikes section 501 of the bill, regarding Global Climate Change, and replaces it with a sense of Congress that states no federally-mandated steps should be taken to mitigate global climate change if those steps would harm American consumers, workers, or businesses in any way.

Johnson (D-TX) #7: Prohibits any funds from being used to promulgate EPA regulations concerning standards for air pollution. The amendment would prohibit the implementation of a new EPA regulation that does away with the “once in, always in” standard for regulating the “maximum achievable control technology” (MACT) measure for air pollution.

Andrews (D-NJ) / Chabot (R-OH). Prohibits funds from being used for the design or construction of forest development roads in the Tongass National Forest for the purpose of harvesting timber by private entities or individuals (except roads where construction has already been initiated).

According to the amendment sponsor, since 1982 the Forest Service has spent nearly \$1 billion in taxpayer dollars in the Tongass forest building road and administering timber sales. The National Taxpayers Union and Citizens Against Government Waste have both indicated they support the amendment.

According to Ranking Member Young, who opposes the amendment, the amendment is about “driving up costs of timber harvest in the Tongass National Forest so environmental groups and alleged taxpayer “watchdogs” may then complain about the high cost of harvesting timber there.”

The National Association of Home Builders and the National Association of Counties have both indicated they are opposed to the amendment.

Last year, an identical amendment was accepted by a vote of [237-181](#).

Inslee (D-WA) #17. Prohibits funds in the bill from being used to issue any permit for, or approve or allow, importation of any polar bear (or part) under the Marine Mammal Protection Act of 1972 (16 U.S.C. 1374(c)(5)(A)).

Salazar (D-CO) #1. Prohibits any funds from being used for oil and gas leasing on lands in Colorado that were formerly designated as “Naval Oil Shale Reserves 1 and 3” that were not open to such leasing on May 15, 2007. According to [an editorial](#) in favor of the amendment that appeared in the Washington Post on June 26, 2007, the Bureau of Land Management (BLM) recently opened a large portion of Colorado’s Roan Plateau to natural gas development.

Udall (D-CO) #2: Prohibits funds from being used to prepare regulations regarding a commercial leasing program for oil shale resources or to conduct an oil shale lease sale under subsection 369(e) of the Energy Policy Act of 2005.

Udall (D-CO). Prohibits funds in the Act from being used to implement Bureau of Land Management regulations on Recordable Disclaimers of Interest in Land with respect to a claimed Revised Statue 2477 right-of-way or to issue a non-binding determination pursuant to the Interior Secretary’s Memorandum to Assistant Secretaries dated March 22, 2006, revoking the Departmental Policy on Revised Statute 2477 Grant of Right-of-Way for Public Highways.

Conaway (R-TX) #4: Expresses the sense of the House that “any reduction in the amount appropriated by this Act achieved as a result of amendments adopted by the House should be dedicated to deficit reduction.”

DeFazio (D-OR) #12: Establishes a technical list of responsibilities for the “resource advisory committee” that was established under the Secure Rural Schools and Community Act of 2000. The Secure Rural Schools Act was reauthorized in the Iraq supplemental and the advisory committee was established without specific instructions. The Amendment instructs the advisory committee to:

- Monitor projects submitted by that committee that have been approved by the Secretary of the Interior or the Secretary of Agriculture;
- Advise the designated Federal official on the progress of monitoring efforts; and

- Make recommendations to the Secretary of the Interior or the Secretary of Agriculture regarding any changes or adjustments to the projects being monitored by the committee.

Pearce (R-NM). Prohibits funds in the Act from being used for the continued operation of the Mexican Wolf Recovery program in New Mexico or Arizona, other than the capture and removal of wolves released.

Dent (R-PA) #13: Prohibits any funds from being used to administer or enforce section 20(b)(1) of the Indian Gaming Regulatory Act, which allows the establishment of casinos on newly acquired Indian land if it is determined to be in the “best interest” or the tribe and the community.

Kingston (R-GA) #23. Prohibits funds in the Act from being used to enter into a contract with any entity that does not participate in the basic pilot program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

Upton (R-MI) #31. Prohibits funds from being used to purchase light bulbs, unless the light bulbs have the “ENERGY STAR” or “Federal Energy Management Program” designation.

Garrett (R-NJ). Prohibits funds from being used to pay for more than 50 federal department or agency employees to attend any single conference occurring outside the U.S.

Jordan (R-OH) #22. Reduces the overall appropriations in the Act by 4.3 percent, except those amounts that are “not required to be appropriated or otherwise made available by a provision of law.” This amendment would return funding to the FY2007 enacted level. *Debatable for 40 minutes.*

Price (R-GA) #29. Reduces overall appropriation in the Act by \$276.330 million, a 1 percent funding reduction. *Debatable for 40 minutes.*

Miller, Gary (R-CA). Prohibits funds in the Act from being used to conduct the San Gabriel Watershed and Mountains Special Resource Study (P.L. 108-42) in the cities of Diamond Bar, La Habra, Industry, Chino Hills, and the community of Rowland Heights in Los Angeles County, California (with specified boundaries). The amendment’s sponsor believes “the National Park Service reached beyond congressional intent and extended the scope of the study eastward into the communities of the 42nd District of California.”

Bishop (R-UT). Prohibits funds in the Act from going to any 501(c)(3) organization (as designated in the IRS Code) who is a party to a lawsuit against the dispensing agency.

Bishop (R-UT). Prohibits funds in the Act from being used to condemn land except for national defense or public health and safety.

Doolittle (R-CA). Regarding funding for the Secure Rural Schools and Community Self-Determination Act. The amendment sponsor states that this amendment will not be offered.

Stupak (D-MI). Regarding funding for the EPA Administrator’s security detail. Amendment text was not available.

King (R-IA). Prohibits funds in the Act from being used by the EPA to run computer model WINTR-55.

Cannon (R-UT). Prohibits funds from being used to prevent oil shale leasing activities in Utah and Wyoming.

Cannon (R-UT). Prohibits funds from being used to restrict oil and gas leasing on federal lands available before the date of enactment.

Heller (R-NV). Prohibits funds in the Act from being used in violation of the 10th Circuit Court of Appeals decision in the case of the Southern Utah Wilderness Alliance v. BLM, regarding RS 2477 rights-of-way. The amendment sponsor states that “the new [federal agency] guidelines resulting from the court decision recognize the need to protect special areas such as congressional designated wilderness, and national parks... to protect federal lands and resources as a priority.”

Heller (R-NV). Regarding Heritage Areas. According to the amendment sponsor, this amendment will not be offered.

Flake (R-AZ). Prohibits funds in the Act from going to the Ohio Association of Professional firefighters in Columbus, Ohio.

Flake (R-AZ). Prohibits funds in the Act from going to the W.A. Young and Sons Foundry in Greene County, Pennsylvania.

Flake (R-AZ). Prohibits funds in the Act from going to the Philadelphia Art Museum in Pennsylvania.

Flake (R-AZ). Prohibits funds in the Act from going to the Payne Gallery at Moravian College in Pennsylvania.

Flake (R-AZ). Prohibits funds in the Act from going to the Southwest Pennsylvania Industrial Heritage Route.

Hensarling (R-TX). Limits funds in the Act from being used for the Clover Bend Historic site.

Hensarling (R-TX). Prohibits funds in the Act from going to the St. Joseph’s College Theater.

Hensarling (R-TX). Prohibits funds in the Act from going to the Bremertown Public Library.

Hensarling (R-TX). Prohibits funds in the Act from going to the Maverick Concert Hall.

Campbell (R-CA). Limits funds in the Act from being used for the Wetzel County Courthouse.

Campbell (R-CA). Limits funds in the Act from being used for equipment for anadromous fish research.

Jackson-Lee (D-TX). Regarding urban forestry. Amendment sponsor did not respond to multiple inquiries for text.

Jackson-Lee (D-TX). Regarding Smithsonian Institution outreach. Amendment sponsor did not respond to multiple inquiries for text.

Obey (D-WI). Prohibits funds in the bill from being used for earmarks.

Dicks (D-WA). Manager's amendment, regarding funding levels. Amendment text was not available.

Feeney (R-FL). Strikes the anti-competitive-sourcing language (section 414) in the underlying bill.

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